

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

**RICHARD COLE, BRADFORD COLE,
CARY JUSTICE, MICHAEL MASSEY,
and DON WEGENER,**

**Plaintiffs, on behalf of themselves
and all others similarly situated,**

v.

**AMERICAN SPECIALTY HEALTH
NETWORK, INC.; AMERICAN
SPECIALTY HEALTH, INC.; CIGNA
CORPORATION, INC.; JOHN DOES A,
B, & C; and JANE DOES A, B, & C,**

Defendants.

Case No: 3:14-cv-02022

**Judge Todd J. Campbell
Magistrate Judge Juliet E. Griffin**

MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Cigna Corporation's Motion to Dismiss the Complaint, dated December 23, 2014, together with the Declaration of T. Harold Pinkley, sworn to December 23, 2014, and the exhibits annexed thereto, Cigna Corporation hereby moves this Court for an Order, pursuant to Fed. R. Civ. P. 9(b) and 12(b)(6), dismissing the claims asserted against them in this action, and granting such other relief as the Court deems just and proper.

Respectfully submitted,

Dated: December 23, 2014
Nashville, Tennessee

/s/ T. Harold Pinkley

T. Harold Pinkley, BPR 09830
Amanda Haynes Young, BPR 015472
Valerie Diden Moore, BPR 031593
BUTLER SNOW LLP
150 Third Avenue South, Suite 1600
Nashville, TN 37201
harold.pinkley@butlersnow.com
mandy.young@butlersnow.com
valerie.moore@butlersnow.com
P: (615) 651-6700
F: (615) 651-6701

Joshua B. Simon (admitted *pro hac vice*)
Warren Haskel (admitted *pro hac vice*)
Ryan D. McEnroe (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
601 Lexington Ave.
New York, NY 10022
joshua.simon@kirkland.com
warren.haskel@kirkland.com
ryan.mcenroe@kirkland.com
P: (212) 446-4800
F: (212) 446-4900

Attorneys for Defendant Cigna Corp.

CERTIFICATE OF SERVICE

I, T. Harold Pinkley, the undersigned, certify under penalty of perjury, that on this 23rd day of December, 2014, I caused a true and correct copy of the attached Motion to Dismiss the Complaint to be served upon all counsel of record via this Court's electronic filing system. I further certify that the foregoing is available for viewing and downloading from the electronic filing system.

/s/ T. Harold Pinkley

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